

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

EDWIN FRANCESCO ALVANEZ :
Petitioner :
v : Civil Action No. DKC-09-1939
UNITED STATES DISTRICT COURT :
Respondent :
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MEMORANDUM

The above-captioned action was filed on July 16, 2009, pursuant to the Freedom of Information Act (FOIA). Paper No. 1. Petitioner seeks copies of transcripts and other related documents from Criminal Case DKC-07-326. *Id.*

Federal courts are not “agencies” covered by the Freedom of Information Act. Indeed, FOIA , 5 U.S.C. § 552, does not apply to the courts of the United States. *See* 28 U.S.C. § 551; *Smith v. United States District Court for the Southern District of Illinois*, 956 F.2d 647, 649 n.1 (7th Cir. 1992); *see also Cook v. Willingham*, 400 F. 2d 885 (10th Cir. 1968); *Harris v. United States*, 121 F.R.D. 652, 654 (W.D. N.C. 1988).

Copies of court records may be provided to an indigent litigant at government expense upon a showing by the litigant of a particularized need for the documents. *See Jones v. Superintendent, Va. State Farm*, 460 F.2d 150, 152-53 (4th Cir. 1972). Petitioner has failed to show a particularized need. Thus, to the extent his pleading is construed as a request for copy work at government expense, it is denied. A separate Order follows.

July 31, 2009
Date

/s/
DEBORAH K. CHASANOW
United States District Judge